

§ 417.6

conclusive unless within 30 days of the date of receipt of such notice the Regional Director submits his written comments and objections to the Commissioner of Indian Affairs and requests further consultation. If after such further consultation, timely taken, the Commissioner does not modify his determination and so advises the Regional Director in writing or if modifications are made by the Commissioner but the Regional Director still does not agree therewith, the Regional Director may, within 30 days after receipt of the Commissioner's response, appeal to the Secretary of the Interior for a decision on the matter. During the pendency of such appeal and until disposition thereof by the Secretary, water deliveries will be made to the extent legally and physically available according to the Commissioner's determination or according to the Commissioner's determination for the preceding calendar year, whichever is less.

(b) Modifications of said determinations due to changed conditions, emergency or hardship may be made by the Commissioner, subject, however, to the right of the Regional Director to appeal to the Secretary, as provided in the case of an initial determination by the Commissioner. During the pendency of such an appeal, water deliveries will be made on the basis of the initial determination.

§ 417.6 General regulations.

In addition to the recommendations and determinations formulated according to the procedures set out above, the right is reserved to issue regulations of general applicability to the topics dealt with herein.

PART 418—OPERATING CRITERIA AND PROCEDURES FOR THE NEWLANDS RECLAMATION PROJECT, NEVADA

GENERAL PROVISIONS

Sec.

- 418.1 Definitions.
- 418.2 How Project water may be used.
- 418.3 Effect of these regulations on water rights.
- 418.4 Prohibited deliveries.
- 418.5 Responsibility for violations.

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- 418.6 Fallon Paiute-Shoshone Indian Reservation.

CONDITIONS OF WATER DELIVERY

- 418.7 Who may receive irrigation deliveries.
- 418.8 Types of eligible land.
- 418.9 Reporting changes in eligible land.
- 418.10 Determining the amount of water duty to be paid.
- 418.11 Valid headgate deliveries.
- 418.12 Project efficiency.
- 418.13 Maximum allowable limits.

MONITORING DIVERSIONS

- 418.14 Recordkeeping requirements.
- 418.15 Operations monitoring.

OPERATIONS AND MANAGEMENT

- 418.16 Using water for power generation.
- 418.17 Truckee and Carson River water use.
- 418.18 Diversions at Derby Dam.
- 418.19 Diversions from the Truckee River to the Truckee Division.
- 418.20 Diversions from the Truckee River to Lahontan Reservoir, January through June.
- 418.21 Diversion of Truckee River water to Lahontan Reservoir, July through December.
- 418.22 Future adjustments to Lahontan Reservoir storage targets.
- 418.23 Diversion of Rock Dam Ditch water.
- 418.24 Precautionary drawdown and spills from Lahontan Reservoir.
- 418.25 Water use for other than Newlands Project.
- 418.26 Charges for water use.
- 418.27 Distribution system operation.

ENFORCEMENT

- 418.28 Conditions of delivery.
- 418.29 Project management.
- 418.30 Provisions required in future contracts.

WATER MANAGEMENT AND CONSERVATION

- 418.31 Conservation measures.
- 418.32 Cooperative programs.

IMPLEMENTATION

- 418.33 Purpose of the implementation strategy.
- 418.34 Valid headgate deliveries.
- 418.35 Efficiencies.
- 418.36 Incentives for additional long term conservation.
- 418.37 Disincentives for lower efficiency.
- 418.38 Maximum allowable diversion.

APPENDIX A TO PART 418—CALCULATION OF EFFICIENCY EQUATION

AUTHORITY: 43 U.S.C. 391, et seq.; 43 U.S.C. 373; 43 U.S.C. 614, et seq.; 104 Stat. 3289, Pub. L. 101-618.